

**Amendments to the Claims**

This listing of claims will replace all prior versions and listings of claims in the above-identified application.

**Listing of Claims**

1. **(Currently amended)** A method for restoring a virtual path in an optical network, the method comprising:

broadcasting a plurality of resource request packets to a plurality of nodes in said optical network;

dynamically identifying a plurality of nodes with resources as a result of said

broadcasting, wherein said nodes with resources are ones of said nodes having a resource necessary to support said virtual path;

dynamically identifying an intermediate node without resources as a result of said

broadcasting, wherein said node without resources is one of said nodes lacking a resource necessary to support said virtual path;

dynamically determining an alternate physical path, said alternate physical path comprising ones of said nodes with resources;

configuring said alternate physical path by establishing a communication connection between said ones of said nodes with resources; and

restoring said virtual path by provisioning said virtual path over said alternate physical path.

2. **(Previously presented)** The method of claim 1, further comprising:

detecting a failure in said virtual path.

3. **(Currently amended)** The method of claim 2, wherein:
- said detection of said failure is done by receiving a failure message packet;
  - said ~~identification of said nodes with resources is done by~~ dynamically identifying said nodes with resources comprises acknowledging said failure message ~~packet;~~ packet, and said ~~determination of said nodes with resources is done by~~ analyzing a response to said resource request packets.
4. (Original) The method of claim 2, wherein:
- said virtual path is provisioned on a physical path between a first and a second node of said optical network;
  - said optical network comprises said nodes; and
  - each one of said nodes is coupled to at least one another of said nodes by a plurality of optical links.
5. (Original) The method of claim 4, wherein:
- said physical path between said first and said second node comprises a plurality of intermediate nodes.
6. (Original) The method of claim 4, wherein each one of said nodes is coupled to at least one another of said nodes in a mesh topology.
7. (Original) The method of claim 6, wherein said restoring of said virtual path is completed in less than 2 seconds.
8. (Original) The method of claim 6, wherein said restoring of said virtual path is completed in less than 250 milliseconds.
9. (Original) The method of claim 6, wherein said restoring of said virtual path is completed in less than 50 milliseconds.
10. (Original) The method of claim 6, wherein said restoring of said virtual path by is performed by said first node.

11. **(Currently amended)** The method of claim 10, further comprising:  
if said failure is a local physical port failure between said first node and an adjacent node,  
determining an available different physical port of a link between said first node  
and said adjacent nodes,  
initiating a physical port switch request for said adjacent node,  
provisioning said virtual path to said different physical port, and  
updating a ~~said~~ provisioning information in a node database.
12. (Original) The method of claim 11, further comprising:  
if different physical port of said link between said first node and said adjacent nodes is  
unavailable,  
(i) changing a state of said virtual path to restoring,  
(ii) identifying a plurality of adjacent nodes with required bandwidth for said  
virtual path,  
(iii) forwarding a path restoration request to said plurality of adjacent nodes with  
required bandwidth for said virtual path, and  
(iv) waiting for a response for said path restoration request for a first  
predetermined time interval.
13. (Original) The method of claim 12, further comprising:  
if said response to said path restoration request is not received within said first  
predetermined time interval,  
repeating steps (ii) – (iv) for a second predetermined time interval.
14. **(Currently amended)** The method of claim 13, further comprising:  
if said response is not received in within said second predetermined time interval,  
generating network alarms.
15. (Original) The method of claim 14, wherein said first and said second predetermined time  
intervals are defined during provisioning of said virtual path.

16. (Original) The method of claim 14, wherein said first and said second predetermined time intervals are dynamically calculated by said network based on network traffic condition.

17. (Previously presented) The method of claim 10, further comprising:

if said failure did not occur at a physical port of a link between said first node and one of adjacent nodes of said first node,

(i) changing a state of said virtual path to restoring,

(ii) identifying a plurality of adjacent nodes with required bandwidth for said virtual path,

(iii) forwarding a path restoration request to said plurality of adjacent nodes with required bandwidth for said virtual path, and

(iv) waiting for a response for said path restoration request for a first predetermined time interval.

18. (**Currently amended**) The method of claim 17, further comprising:

if said response for said path restoration request is not received within said first predetermined time interval,

repeating steps (ii) – (iv) for a second predetermined time interval.

19. (Original) The method of claim 18, further comprising:

if said response for said path restoration request is not received within said second predetermined time interval,  
generating network alarms.

20. (Original) The method of claim 19, wherein said first and said second predetermined time intervals are defined during provisioning of said virtual path.

21. (Original) The method of claim 19, wherein said first and said second predetermined time intervals are dynamically calculated by said network based on network traffic condition.

22. (Original) The method of claim 6, wherein said restoring of said virtual path is performed by one of said intermediate nodes.

23. (Original) The method of claim 22, wherein said failure is a local physical port failure between said intermediary node and an adjacent node comprising said virtual path.
24. (**Currently amended**) The method of claim 23, further comprising:  
determining an available different physical port of a link between said intermediary node and said adjacent nodes;  
initiating a physical port switch request for said adjacent node;  
provisioning said virtual path to said different physical port; and  
updating a ~~said~~ provisioning information in a node database.
25. (Original) The method of claim 24, further comprising:  
if different physical port of said link between said intermediary node and said adjacent nodes is unavailable,  
a. changing a state of said virtual path to down,  
b. generating a restoration request,  
c. forwarding said restoration request to a plurality of adjacent nodes comprising said virtual path, and  
d. waiting for a response to said restoration request for a predetermined interval of time.
26. (Original) The method of claim 25, further comprising:  
if said response to said restoration request is not received within said predetermined interval of time,  
repeating steps (b) – (d) for a predefined threshold times.
27. (Original) The method of claim 26, further comprising:  
if said response to said restoration request is not received within said predefined threshold times,  
releasing resources of said virtual path.
28. (Original) The method of claim 27, wherein said predetermined interval of time and said predefined threshold are defined during provisioning of said virtual path.

29. (Original) The method of claim 27, wherein said predetermined interval of time and said predefined threshold are dynamically calculated by said network based on network traffic condition.

30. (Original) The method of claim 26, further comprising:

if said response to said restoration request is received,  
releasing resources of said virtual path.

31. (Original) The method of claim 22, further comprising:

if said intermediary node receives a message of a remote port failure at a node  
comprising said virtual path,  
changing a state of said virtual path to down,  
forwarding said message to a plurality of adjacent nodes comprising said virtual  
path, and  
initiating a timer for receiving a response to said forwarded message.

32. (Original) The method of claim 31, further comprising:

if said timer expires before said response to said forwarded message is received,  
releasing resources of said virtual path.

33. (Original) The method of claim 31, further comprising:

if said response to said forwarded message is received,  
releasing resources of said virtual path.

34. (Original) The method of claim 22, further comprising:

if said intermediary node receives a valid restore path request,  
updating path information in a node database,  
allocating resources requested for said virtual path, and  
forwarding said restore path request to all eligible adjacent nodes.

35. (Original) The method of claim 22, further comprising:

if said intermediary node receives an invalid restore path request,  
responding with a negative acknowledgment.

36. (Original) The method of claim 6, wherein restoring of said virtual path is performed by said second node.

37. **(Currently amended)** The method of claim 36, further comprising:

if said failure is a local physical port failure between said second node and an adjacent node comprising said virtual path,  
determining an available different physical port of a link between said second node and said adjacent nodes,  
initiating a physical port switch request for said adjacent node,  
provisioning said virtual path to said different physical port, and  
updating ~~a~~ said provisioning information in a node database.

38. (Original) The method of claim 37, further comprising:

if different physical port of said link between said second node and said adjacent nodes is unavailable,  
a. changing a state of said virtual path to down,  
b. generating a restoration request,  
c. forwarding said restoration request to a plurality of adjacent nodes comprising said virtual path, and  
d. waiting for a response to said restoration request for a predetermined interval of time.

39. (Original) The method of claim 38, further comprising:

if said response to said restoration request is not received within said predetermined interval of time,  
repeating steps (b) – (d) for a predefined threshold times.

40. (Original) The method of claim 39, further comprising:

if said response to said restoration request is not received within said predefined threshold times,  
releasing resources of said virtual path.

41. (Original) The method of claim 40, wherein said predetermined interval of time and said predefined threshold are defined during provisioning of said virtual path.
42. (Original) The method of claim 40, wherein said predetermined interval of time and said predefined threshold are dynamically calculated by said network based on network traffic condition.
43. (Original) The method of claim 39, further comprising:  
if said response to said restoration request is received,  
releasing resources of said virtual path.
44. (Original) The method of claim 36, further comprising:  
if said second node receives a message of a remote port failure at a node comprising said virtual path,  
acknowledging said message,  
changing a state of said virtual path to down, and  
releasing resources of said virtual path.
45. (Original) The method of claim 36, further comprising:  
if said second node receives a valid restore path request,  
updating path information in a node database, and  
allocating resources requested for said virtual path.
46. (Original) The method of claim 36, further comprising:  
if said second node receives an invalid restore path request,  
responding with a negative acknowledgment.



47. (Currently amended; Withdrawn) A computer system comprising:

a processor;

an optical network interface, coupled to said processor and to an optical network;

computer readable medium coupled to said processor; and

computer code, encoded in said computer readable medium, configured to cause said processor to:

broadcast a plurality of resource request packets to a plurality of said nodes in said optical network;

dynamically identify a plurality of nodes with resources as a result of said broadcast plurality of resource request packets, wherein said nodes with resources are ones of said nodes having a resource necessary to support said virtual path;

dynamically identify an intermediate node without resources as a result of said broadcasting, wherein said node without resources is one of said nodes lacking a resource necessary to support said virtual path;

dynamically determine an alternate physical path, said alternate physical path comprising ones of said nodes with resources;

configure said alternate physical path by establishing a communication connection between said ones of said nodes with resources; and

restore said virtual path by provisioning said virtual path over said alternate physical path.

48. (Withdrawn) The computer system of claim 47, wherein said computer code configured to cause said processor to:

detect a failure in said virtual path.

49. (Withdrawn) The computer system of claim 47, wherein said computer code configured to cause said processor to restore said virtual path is further configured to cause said processor to:

complete restoration of said virtual path in less than 50 milliseconds.

50. (Withdrawn) The computer system of claim 47, wherein:  
said virtual path is provisioned on a physical path between a first and a second node of  
said optical network;  
said optical network comprises said nodes; and  
each one of said nodes is coupled to at least one another of said nodes by a plurality of  
optical links.
51. (Withdrawn) The computer system of claim 50, wherein:  
said physical path between said first and said second node comprises a plurality of  
intermediate nodes.
52. (Withdrawn) The computer system of claim 50, wherein each one of said nodes is coupled  
to at least one another of said nodes in a mesh topology.
53. (Withdrawn) The computer system of claim 52, wherein said computer code is configured  
to cause said processor to perform said restoring of said virtual path at said first node.
54. (**Currently amended**; Withdrawn) The computer system of claim 53, wherein said  
computer code configured to cause said processor to:  
if said failure is a local physical port failure between said first node and an adjacent node,  
determine an available different physical port of a link between said first node and  
said adjacent nodes,  
initiate a physical port switch request for said adjacent node,  
provision said virtual path to said different physical port, and  
update a ~~said~~ provisioning information in a node database.

55. (Withdrawn) The computer system of claim 54, wherein said computer code configured to cause said processor to:

if different physical port of said link between said first node and said adjacent nodes is unavailable,

- (i) change a state of said virtual path to restoring,
- (ii) identify a plurality of adjacent nodes with required bandwidth for said virtual path,
- (iii) forward a path restoration request to said plurality of adjacent nodes with required bandwidth for said virtual path, and
- (iv) wait for a response for said path restoration request for a first predetermined time interval.

56. (Withdrawn) The computer system of claim 55, wherein said computer code configured to cause said processor to:

if said response to said path restoration request is not received within said first predetermined time interval,  
repeat steps (ii) – (iv) for a second predetermined time interval.

57. (**Currently amended**; Withdrawn) The computer system of claim 56, wherein said computer code configured to cause said processor to:

if said response is not received in within said second predetermined time interval,  
generate network alarms.

58. (Previously presented; Withdrawn) The computer system of claim 53, wherein said computer code configured to cause said processor to:

if said failure did not occur at a physical port of a link between said first node and one of adjacent nodes of said first node,

- (i) change a state of said virtual path to restoring,
- (ii) identify a plurality of adjacent nodes with required bandwidth for said virtual path,
- (iii) forward a path restoration request to said plurality of adjacent nodes with required bandwidth for said virtual path, and
- (iv) wait for a response for said path restoration request for a first predetermined time interval.

59. (**Currently amended**; Withdrawn) The computer system of claim 58, wherein said computer code configured to cause said processor to:

if said response for said path restoration request is not received within said first predetermined time interval,  
repeat steps (ii) – (iv) for a second predetermined time interval.

60. (Withdrawn) The computer system of claim 59, wherein said computer code configured to cause said processor to:

if said response for said path restoration request is not received within said second predetermined time interval,  
generate network alarms.

61. (Withdrawn) The computer system of claim 52, wherein said computer code configured to cause said processor to perform said restoring of said virtual path at one of said intermediate nodes.

62. (**Currently amended**; Withdrawn) The computer system of claim 61, wherein said computer code configured to cause said processor to:

if said failure is a local physical port failure between said intermediary node and an adjacent node comprising said virtual path,  
determine an available different physical port of a link between said intermediary node and said adjacent nodes,  
initiate a physical port switch request for said adjacent node,  
provision said virtual path to said different physical port, and  
update a said provisioning information in a node database.

63. (Withdrawn) The computer system of claim 62, wherein said computer code configured to cause said processor to:

if different physical port of said link between said intermediary node and said adjacent nodes is unavailable,  
a. change a state of said virtual path to down,  
b. generate a restoration request,  
c. forward said restoration request to a plurality of adjacent nodes comprising said virtual path, and  
d. wait for a response to said restoration request for a predetermined interval of time.

64. (Withdrawn) The computer system of claim 63, wherein said computer code configured to cause said processor to:

if said response to said restoration request is not received within said predetermined interval of time,  
repeat steps (b) – (d) for a predefined threshold times.

65. (Withdrawn) The computer system of claim 64, wherein said computer code configured to cause said processor to:

if said response to said restoration request is not received within said predefined threshold times,  
release resources of said virtual path.

66. (Withdrawn) The computer system of claim 64, wherein said computer code configured to cause said processor to:

if said response to said restoration request is received,  
release resources of said virtual path.

67. (Withdrawn) The computer system of claim 61, wherein said computer code configured to cause said processor to:

if said intermediary node receives a message of a remote port failure at a node  
comprising said virtual path,  
change a state of said virtual path to down,  
forward said message to a plurality of adjacent nodes comprising said virtual path,  
and  
initiate a timer for receiving a response to said forwarded message.

68. (Withdrawn) The computer system of claim 67, wherein said computer code configured to cause said processor to:

if said timer expires before said response to said forwarded message is received,  
release resources of said virtual path.

69. (Withdrawn) The computer system of claim 67, wherein said computer code configured to cause said processor to:

if said response to said forwarded message is received,  
release resources of said virtual path.

70. (Withdrawn) The computer system of claim 61, wherein said computer code configured to cause said processor to:

if said intermediary node receives a valid restore path request,  
update path information in a node database,  
allocate resources requested for said virtual path, and  
forward said restore path request to all eligible adjacent nodes.

71. (Withdrawn) The computer system of claim 61, wherein said computer code configured to cause said processor to:

if said intermediary node receives an invalid restore path request,  
respond with a negative acknowledgment.

72. (Withdrawn) The computer system of claim 52, wherein said computer code configured to cause said processor to perform said restoring of said virtual path at said second node.

73. (**Currently amended**; Withdrawn) The computer system of claim 72, wherein said computer code configured to cause said processor to:

if said failure is a local physical port failure between said second node and an adjacent node comprising said virtual path,  
determine an available different physical port of a link between said second node and said adjacent nodes,  
initiate a physical port switch request for said adjacent node,  
provision said virtual path to said different physical port, and  
update a ~~said~~ provisioning information in a node database.

74. (Withdrawn) The computer system of claim 73, wherein said computer code configured to cause said processor to:

if different physical port of said link between said second node and said adjacent nodes is unavailable,  
a. change a state of said virtual path to down,  
b. generate a restoration request,  
c. forward said restoration request to a plurality of adjacent nodes comprising said virtual path, and  
d. wait for a response to said restoration request for a predetermined interval of time.

75. (Withdrawn) The computer system of claim 72, wherein said computer code configured to cause said processor to:

if said response to said restoration request is not received within said predetermined interval of time,  
repeat steps (b) – (d) for a predefined threshold times.

76. (Withdrawn) The computer system of claim 75, wherein said computer code configured to cause said processor to:

if said response to said restoration request is not received within said predefined threshold times,  
release resources of said virtual path.

77. (Withdrawn) The computer system of claim 75, wherein said computer code configured to cause said processor to:

if said response to said restoration request is received,  
release resources of said virtual path.

78. (Withdrawn) The computer system of claim 72, wherein said computer code configured to cause said processor to:

if said second node receives a message of a remote port failure at a node comprising said virtual path,  
acknowledge said message,  
change a state of said virtual path to down, and  
release resources of said virtual path.

79. (Withdrawn) The computer system of claim 72, wherein said computer code configured to cause said processor to:

if said second node receives a valid restore path request,  
update path information in a node database, and  
allocate resources requested for said virtual path.



80. (Withdrawn) The computer system of claim 72, wherein said computer code configured to cause said processor to:

if said second node receives an invalid restore path request,  
respond with a negative acknowledgment.

81. **(Currently amended; Withdrawn)** A computer program product encoded in computer readable media, said program product comprising:

- a first set of instructions executable on a computer system, configured to broadcast a plurality of resource request packets to a plurality of nodes in an optical network;
- a second set of instructions executable on said computer system, configured to identify dynamically a plurality of nodes with resources as a result of said broadcast plurality of resource request packets, wherein said nodes with resources are ones of said nodes having a resource necessary to support said virtual path, and said second set of instructions is configured to identify dynamically an intermediate node without resources as a result of said broadcasting, wherein said node without resources is one of said nodes lacking a resource necessary to support said virtual path;
- a third set of instructions executable on said computer system, configured to determine dynamically an alternate physical path, said alternate physical path comprising ones of said nodes with resources;
- a fourth set of instructions executable on said computer system, configured to configure said alternate physical path by establishing a communication connection between said ones of said nodes with resources; and
- a fifth set of instructions executable on said computer system, configured to restore said virtual path by provisioning said virtual path over said alternate physical path.

82. (Withdrawn) The computer program product of claim 81, further comprising:

- a sixth set of instruction executable on said computer system, configured to detect a failure in said virtual path in said optical system.

83. (Withdrawn) The computer program product of claim 81, wherein said first set of instruction comprises:

- a first sub-set of instructions, executable on said computer system, configured to receive a failure message packet;
- a second sub-set of instructions, executable on said computer system, configured to analyze said failure message packet; and
- a third sub-set of instructions, executable on said computer system, configured to identify if said failure is a local failure.

84. (Withdrawn) The computer program product of claim 81, wherein:

- said virtual path is provisioned on a physical path between a first and a second node of said optical network,
- said physical path comprises a plurality of intermediate nodes,
- each one of said nodes is coupled to at least on another of said nodes in a mesh topology.

85. (Withdrawn) The computer program product of claim 84, wherein said restoring of said virtual path is performed by said first node.

86. (**Currently amended**; Withdrawn) The computer program product of claim 85, further comprising:

- a sixth set of instructions executable on said computer system, configured to:
  - if said failure is a local physical port failure between said first node and an adjacent node, determine an available different physical port of a link between said first node and said adjacent nodes,
  - initiate a physical port switch request for said adjacent node,
  - provision said virtual path to said different physical port, and
  - update a ~~said~~ provisioning information in a node database.

87. (Withdrawn) The computer program product of claim 86, further comprising:  
a seventh set of instructions executable on said computer system, configured to:  
if different physical port of said link between said first node and said adjacent nodes is  
unavailable,  
(i) change a state of said virtual path to restoring,  
(ii) identify a plurality of adjacent nodes with required bandwidth for said virtual path,  
(iii) forward a path restoration request to said plurality of adjacent nodes with required  
bandwidth for said virtual path, and  
(iv) wait for a response for said path restoration request for a first predetermined time  
interval.
88. (Withdrawn) The computer program product of claim 87, further comprising:  
an eighth set of instructions executable on said computer system, configured to:  
if said response to said path restoration request is not received within said first  
predetermined time interval,  
repeat steps (ii) – (iv) for a second predetermined time interval.
89. (**Currently amended**; Withdrawn) The computer program product of claim 86, further  
comprising:  
a ninth set of instructions executable on said computer system, configured to:  
if said response is not received in within said second predetermined time interval,  
generate network alarms.

90. (Previously presented; Withdrawn) The computer program product of claim 85, further comprising:

a sixth set of instructions executable on said computer system, configured to:

if said failure did not occur at a physical port of said a between said first node and one of adjacent nodes of said first node,

(i) changing a state of said virtual path to restoring,

(ii) identifying a plurality of adjacent nodes with required bandwidth for said virtual path,

(iii) forwarding a path restoration request to said plurality of adjacent nodes with required bandwidth for said virtual path, and

(iv) waiting for a response for said path restoration request for a first predetermined time interval.

91. (**Currently amended**; Withdrawn) The computer program product of claim 90, further comprising:

a seventh set of instructions executable on said computer system, configured to:

if said response for said path restoration request is not received within said first predetermined time interval,

repeat steps (ii) – (iv) for a second predetermined time interval.

92. (Withdrawn) The computer program product of claim 90, further comprising:

an eighth set of instructions executable on said computer system, configured to:

if said response for said path restoration request is not received with in said second predetermined time interval,

generate network alarms.

93. (Withdrawn) The computer program product of claim 84, wherein said restoring of said virtual path is performed by one of said intermediate nodes.

94. **(Currently amended; Withdrawn)** The computer program product of claim 93, further comprising:

a sixth set of instructions executable on said computer system, configured to:  
if said failure is a local port failure between said intermediary node and an adjacent node comprising said virtual path,  
determine an available different physical port of a link between said intermediary node and said adjacent nodes,  
initiate a physical port switch request for said adjacent node,  
provision said virtual path to said different physical port, and  
update a said provisioning information in a node database.

95. **(Withdrawn)** The computer program product of claim 94, further comprising:

a seventh set of instructions executable on said computer system, configured to:  
if different physical port of said link between said intermediary node and said adjacent nodes is unavailable,  
a. change a state of said virtual path to down,  
b. generate a restoration request,  
c. forward said restoration request to a plurality of adjacent nodes comprising said virtual path, and  
d. wait for a response to said restoration request for a predetermined interval of time.

96. **(Withdrawn)** The computer program product of claim 95, further comprising:

an eighth set of instructions executable on said computer system, configured to:  
if said response to said restoration request is not received within said predetermined interval of time,  
repeat steps (b) – (d) for a predefined threshold times.

97. (Withdrawn) The computer program product of claim 96, further comprising:  
a ninth set of instructions executable on said computer system, configured to:  
if said response to said restoration request is not received within said predefined  
threshold times,  
release resources of said virtual path.
98. (Withdrawn) The computer program product of claim 97, further comprising:  
a tenth set of instructions executable on said computer system, configured to:  
if said response to said restoration request is received,  
release resources of said virtual path.
99. (Withdrawn) The computer program product of claim 93, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said intermediary node receives a message of a remote port failure at a node  
comprising said virtual path,  
change a state of said virtual path to down,  
forward said message to a plurality of adjacent nodes comprising said virtual path,  
and  
initiate a timer for receiving a response to said forwarded message.
100. (Withdrawn) The computer program product of claim 99, further comprising:  
a seventh set of instructions executable on said computer system, configured to:  
if said timer expires before said response to said forwarded message is received,  
release resources of said virtual path.
101. (Withdrawn) The computer program product of claim 100, further comprising:  
an eighth set of instructions executable on said computer system, configured to:  
if said response to said forwarded message is received,  
release resources of said virtual path.

102. (Withdrawn) The computer program product of claim 93, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said intermediary node receives a valid restore path request,  
    updating path information in a node database,  
    allocating resources requested for said virtual path, and  
    forwarding said restore path request to all eligible adjacent nodes.
103. (Withdrawn) The computer program product of claim 93, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said intermediary node receives an invalid restore path request,  
    respond with a negative acknowledgment.
104. (Withdrawn) The computer program product of claim 84, wherein said restoring of said virtual path is performed by said second node.
105. (**Currently amended**; Withdrawn) The computer program product of claim 104, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said failure is a local physical port failure between said second node and an adjacent node comprising said virtual path,  
    determine an available different physical port of a link between said second node and said adjacent nodes,  
    initiate a physical port switch request for said adjacent node,  
    provision said virtual path to said different physical port, and  
    update a ~~said~~ provisioning information in a node database.

106. (Withdrawn) The computer program product of claim 105, further comprising:  
a seventh set of instructions executable on said computer system, configured to:  
if different physical port of said link between said second node and said adjacent nodes is  
unavailable,  
a. change a state of said virtual path to down,  
b. generate a restoration request,  
c. forward said restoration request to a plurality of adjacent nodes comprising  
said virtual path, and  
d. wait for a response to said restoration request for a predetermined interval of  
time.
107. (Withdrawn) The computer program product of claim 106, further comprising:  
an eighth set of instructions executable on said computer system, configured to:  
if said response to said restoration request is not received within said predetermined  
interval of time,  
repeat steps (b) – (d) for a predefined threshold times.
108. (Withdrawn) The computer program product of claim 107, further comprising:  
a ninth set of instructions executable on said computer system, configured to:  
if said response to said restoration request is not received within said predefined  
threshold times,  
release resources of said virtual path.
109. (Withdrawn) The computer program product of claim 107, further comprising:  
a ninth set of instructions executable on said computer system, configured to:  
if said response to said restoration request is received,  
release resources of said virtual path.



110. (Withdrawn) The computer program product of claim 104, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said second node receives a message of a remote port failure at a node comprising said  
virtual path,  
acknowledge said message,  
change a state of said virtual path to down, and  
release resources of said virtual path.
111. (Withdrawn) The computer program product of claim 104, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said second node receives a valid restore path request,  
update path information in a node database, and  
allocate resources requested for said virtual path.
112. (Withdrawn) The computer program product of claim 104, further comprising:  
a sixth set of instructions executable on said computer system, configured to:  
if said second node receives an invalid restore path request,  
respond with a negative acknowledgment.

113. **(Currently amended)** A computer system comprising:
- means for broadcasting a plurality of resource request packets to a plurality of nodes in a optical network;
  - means for dynamically identifying a plurality of nodes with resources as a result of said broadcasting, wherein said nodes with resources are ones of said nodes having a resource necessary to support a virtual path;
  - means for dynamically identifying an intermediate node without resources as a result of said broadcasting, wherein said node without resources is one of said nodes lacking a resource necessary to support said virtual path;
  - means for dynamically determining an alternate physical path, said alternate physical path comprising ones of said nodes with resources;
  - means for configuring said alternate physical path by establishing a communication connection between said ones of said nodes with resources; and
  - means for restoring said virtual path by provisioning said virtual path over said alternate physical path.
114. **(Original)** The computer system of claim 113, further comprising:
- means for detecting a failure in said virtual path by receiving a failure message.
115. **(Original)** The computer system of claim 114, further comprising:
- means for receiving a failure message packet;
  - means for acknowledging said failure message packet; and
  - means for determining said nodes with resources is done by analyzing a response to said resource request packets.

116. (Original) The computer system of claim 114, wherein:  
said virtual path is provisioned on a physical path between a first and a second node of  
said optical network;  
said physical path between said first and said second node comprises a plurality of  
intermediate nodes;  
said optical network comprises said nodes; and  
each one of said nodes is coupled to at least one another of said nodes by a plurality of  
optical links.
117. (Original) The computer system of claim 116, wherein each one of said nodes is coupled  
to at least one another of said nodes in a mesh topology.
118. (Original) The computer system of claim 117, wherein said means for restoring of said  
virtual path by is included in said first node.
119. **(Currently amended)** The computer system of claim 118, further comprising:  
means for, if said failure is a local physical port failure between said first node and an  
adjacent node, ~~for~~  
determining an available different physical port of a link between said first node  
and said adjacent nodes,  
initiating a physical port switch request for said adjacent node,  
provisioning said virtual path to said different physical port, and  
updating a ~~said~~ provisioning information in a node database.

120. **(Currently amended)** The computer system of claim 119, further comprising:  
means for, if different physical port of said link between said first node and said adjacent nodes is unavailable, ~~for~~  
(i) changing a state of said virtual path to restoring,  
(ii) identifying a plurality of adjacent nodes with required bandwidth for said virtual path,  
(iii) forwarding a path restoration request to said plurality of adjacent nodes with required bandwidth for said virtual path, and  
(iv) waiting for a response for said path restoration request for a first predetermined time interval.
121. **(Original)** The computer system of claim 120, further comprising:  
if said response to said path restoration request is not received within said first predetermined time interval,  
means for repeating steps (ii) – (iv) for a second predetermined time interval.
122. **(Currently amended)** The computer system of claim 121, further comprising:  
means for, if said response is not received in within said second predetermined time interval, ~~for~~  
generating network alarms.
123. **(Currently amended)** The computer system of claim 119, further comprising:  
means for, if said failure did not occur at a physical port of said link between said first node and one of adjacent nodes of said first node, ~~for~~  
(i) changing a state of said virtual path to restoring,  
(ii) identifying a plurality of adjacent nodes with required bandwidth for said virtual path,  
(iii) forwarding a path restoration request to said plurality of adjacent nodes with required bandwidth for said virtual path, and  
(iv) waiting for a response for said path restoration request for a first predetermined time interval.

124. **(Currently amended)** The computer system of claim 123, further comprising:  
if said response for said path restoration request is not received within said first  
predetermined time interval,  
means for repeating steps (ii) – (iv) for a second predetermined time interval.
125. **(Currently amended)** The computer system of claim 124, further comprising:  
means for, if said response for said path restoration request is not received with in said  
second predetermined time interval, ~~for~~  
generating network alarms.
126. **(Original)** The computer system of claim 117, wherein said restoring of said virtual path is  
performed by one of said intermediate nodes.
127. **(Currently amended)** The computer system of claim 126, further comprising:  
means for, if said failure is a local physical port failure between said intermediary node  
and an adjacent node comprising said virtual path, ~~for~~  
determining an available different physical port of a link between said  
intermediary node and said adjacent nodes,  
initiating a physical port switch request for said adjacent node,  
provisioning said virtual path to said different physical port, and  
updating a ~~said~~ provisioning information in a node database.
128. **(Currently amended)** The computer system of claim 127, further comprising:  
means for, if different physical port of said link between said intermediary node and said  
adjacent nodes is unavailable, ~~for~~  
a. changing a state of said virtual path to down,  
b. generating a restoration request,  
c. forwarding said restoration request to a plurality of adjacent nodes comprising  
said virtual path, and  
d. waiting for a response to said restoration request for a predetermined interval  
of time.

129. **(Currently amended)** The computer system of claim 128, further comprising:  
means for, if said response to said restoration request is not received within said  
predetermined interval of time, ~~for~~  
repeating steps (b) – (d) for a predefined threshold times.
130. **(Currently amended)** The computer system of claim 129, further comprising:  
means for, if said response to said restoration request is not received within said  
predefined threshold times, ~~for~~  
releasing resources of said virtual path.
131. **(Currently amended)** The computer system of claim 129, further comprising:  
means for, if said response to said restoration request is received, ~~for~~  
releasing resources of said virtual path.
132. **(Currently amended)** The computer system of claim 126, further comprising:  
means for, if said intermediary node receives a message of a remote port failure at a node  
comprising said virtual path, ~~for~~  
changing a state of said virtual path to down,  
forwarding said message to a plurality of adjacent nodes comprising said virtual  
path, and  
initiating a timer for receiving a response to said forwarded message.
133. **(Currently amended)** The computer system of claim 132, further comprising:  
means for, if said timer expires before said response to said forwarded message is  
received, ~~for~~  
releasing resources of said virtual path.
134. **(Currently amended)** The computer system of claim 132, further comprising:  
means for, if said response to said forwarded message is received,  
releasing resources of said virtual path.

135. **(Currently amended)** The computer system of claim 126, further comprising:  
means for, if said intermediary node receives a valid restore path request, ~~for~~  
updating path information in a node database,  
allocating resources requested for said virtual path, and  
forwarding said restore path request to all eligible adjacent nodes.
136. **(Currently amended)** The method of claim 126, further comprising:  
means for, if said intermediary node receives an invalid restore path request, ~~for~~  
responding with a negative acknowledgment.
137. **(Original)** The computer system of claim 117, wherein means for restoring of said virtual path is included in said second node.
138. **(Currently amended)** The computer system of claim 137, further comprising:  
means for, if said failure is a local physical port failure between said second node and an adjacent node comprising said virtual path, ~~for~~  
determining an available different physical port of a link between said second node and said adjacent nodes,  
initiating a physical port switch request for said adjacent node,  
provisioning said virtual path to said different physical port, and  
updating a ~~said~~ provisioning information in a node database.
139. **(Currently amended)** The computer system of claim 138, further comprising:  
means for, if different physical port of said link between said second node and said adjacent nodes is unavailable, ~~for~~  
a. changing a state of said virtual path to down,  
b. generating a restoration request,  
c. forwarding said restoration request to a plurality of adjacent nodes comprising said virtual path, and  
d. waiting for a response to said restoration request for a predetermined interval of time.

140. **(Currently amended)** The computer system of claim 139, further comprising:  
means for, if said response to said restoration request is not received within said  
predetermined interval of time, ~~for~~  
repeating steps (b) – (d) for a predefined threshold times.
141. **(Currently amended)** The computer system of claim 140, further comprising:  
means for, if said response to said restoration request is not received within said  
predefined threshold times, ~~for~~  
releasing resources of said virtual path.
142. **(Currently amended)** The computer system of claim 140, further comprising:  
means for, if said response to said restoration request is received, ~~for~~  
releasing resources of said virtual path.
143. **(Currently amended)** The computer system of claim 137, further comprising:  
means for, if said second node receives a message of a remote port failure at a node  
comprising said virtual path, ~~for~~  
acknowledging said message,  
changing a state of said virtual path to down, and  
releasing resources of said virtual path.
144. **(Currently amended)** The computer system of claim 137, further comprising:  
means for, if said second node receives a valid restore path request,  
updating path information in a node database, and  
allocating resources requested for said virtual path.
145. **(Currently amended)** The computer system of claim 137, further comprising:  
means for, if said second node receives an invalid restore path request, ~~for~~  
responding with a negative acknowledgment.
146. **(Previously presented)** The method of claim 1, where said dynamically determining an  
alternate physical path comprises selecting an alternate physical path.



147. **(Currently amended)** The method of claim 1, wherein said dynamically identifying said plurality of nodes with resources comprises:

- receiving an allocation request at ~~a candidate~~ an intermediate node;
- if said resource necessary to support said virtual path is available on said ~~candidate~~ intermediate node:
  - forwarding said allocation request from said ~~candidate~~ intermediate node, and
  - allocating said resource necessary to support said virtual path, on said ~~candidate~~ intermediate node, wherein said allocating is performed by said intermediate node; and
- if said resource necessary to support said virtual path is unavailable on said ~~candidate~~ intermediate node:
  - returning a negative response from said ~~candidate~~ intermediate node.

148. **(Currently amended; Withdrawn)** The computer system of claim 47, wherein in order to cause said processor to dynamically identify said plurality of nodes with resources, said computer code is further configured to:

- receive an allocation request at ~~a candidate~~ an intermediate node;
- if said resource necessary to support said virtual path is available on said ~~candidate~~ intermediate node:
  - forward said allocation request from said ~~candidate~~ intermediate node, and
  - cause said intermediate node to allocate said resource necessary to support said virtual path, on said ~~candidate~~ intermediate node; and
- if said resource necessary to support said virtual path is unavailable on said ~~candidate~~ intermediate node:
  - return a negative response from said ~~candidate~~ intermediate node.

149. **(Currently amended; Withdrawn)** The computer program product of claim 81, wherein said second set of instructions is further configured to:

receive an allocation request at a ~~candidate~~ an intermediate node;  
if said resource necessary to support said virtual path is available on said ~~candidate~~ intermediate node:  
forward said allocation request from said ~~candidate~~ intermediate node, and  
cause said intermediate node to allocate said resource necessary to support said  
virtual path, on said candidate intermediate node; and  
if said resource necessary to support said virtual path is unavailable on said ~~candidate~~ intermediate node:  
return a negative response from said ~~candidate~~ intermediate node.

150. **(Currently amended)** The computer system of claim 113, wherein said means for dynamically identifying said plurality of nodes with resources comprises:

means for receiving an allocation request at a ~~candidate~~ an intermediate node;  
means for, if said resource necessary to support said virtual path is available on said ~~candidate~~ intermediate node, forwarding said allocation request from said ~~candidate~~ intermediate node;  
means for, if said resource necessary to support said virtual path is available on said ~~candidate~~ intermediate node, allocating said resource necessary to support said virtual path, on said ~~candidate~~ intermediate node, wherein said allocating is performed by said intermediate node; and  
means for, if said resource necessary to support said virtual path is unavailable on said ~~candidate~~ intermediate node, returning a negative response from said ~~candidate~~ intermediate node.

151. **(New)** The method of claim 1, wherein said dynamically identifying the intermediate node without resources comprises:

ascertaining whether the intermediate node without resources lacks a resource necessary to support said virtual path, wherein said ascertaining is performed by said intermediate node without resources.

152. (New) The computer system of claim 113, wherein said means for dynamically identifying said plurality of nodes with resources comprises:

means for ascertaining whether the intermediate node without resources lacks a resource necessary to support said virtual path, wherein said ascertaining is performed by said intermediate node without resources.